



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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PUBLIC INSTRUCTION

September 20, 2005

MEMORANDUM

TO: Local and Intermediate School District Superintendents, Local and Intermediate School District Directors of Special Education, Chief Executive Officers of Public School Academies

FROM: Jacquelyn J. Thompson, Ph.D, Director
Office of Special Education and Early Intervention Services (OSE/EIS)

SUBJECT: Enrollment of Students with Disabilities Relocated Due to Hurricane Katrina

The Office of Special Education and Early Intervention Services (OSE/EIS) is proud of the efforts the State of Michigan Department of Education is making to welcome and assist Hurricane Katrina victims and families. In particular, and as relevant to school administrators, the State is committed to removing barriers for children to enroll in school and receive services.

Please note that these students qualify under the McKinney-Vento Education for Homeless Children and Youths Program and are entitled to immediate enrollment in K-12. Please refer to the MDE web site for information regarding general enrollment.

Regarding students with disabilities:

The OSE/EIS is aware that most students who enroll in the district as a result of relocation because of the hurricane may not have any documents when they arrive, and for most of the students it may not be possible to obtain them in the future. Therefore, the following procedures are recommended:

1. Complete the enrollment procedures for these students as outlined by the MDE, found on the MDE web site.
2. Ask the parent/student if the student received special education programs or services in his/her previous school. Programs and services for students with disabilities in other states differ, as do terminology and acronyms; this will require further inquiry to determine the specific programs and services the student may need.

OSE/EIS 05-26

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3. If the student received special education services or programs previously, follow the applicable sections of Rule 340.1722e that state:
 - (1) If a student who currently receives special education programs or services enrolls in a new school district, then the new school district shall do either of the following:
 - (a) With the parent's consent, immediately implement the student's current individualized education program.
 - (b) With the parent's consent, immediately place the student in an appropriate program or service and convene an individualized education program team meeting within 30 school days to develop an individualized education program.
 - (2) If the parent does not provide consent for placement, then the school district will implement the student's current individualized education program to the extent possible and an individualized education program team meeting shall be convened to develop a new individualized education program as soon as possible, but not later than 30 school days.
4. Students who enroll without documentation of prior special education eligibility should be evaluated pursuant to Rules 340.1721 – 1721c.

Please refer to the OSE/EIS memo #24-05, dated September 1, 2005 (found on the MDE-OSE/EIS web site); which specifically addresses the issue of unaccompanied homeless youth and the LEA responsibility to appoint a surrogate parent. As stated in the memo,

"In the case of an unaccompanied youth, the LEA shall appoint a surrogate. The IDEA requires the state to make reasonable efforts to ensure the assignment of a surrogate not more than 30 days after there is a determination by the agency that the child needs a surrogate."

The OSE/EIS is aware that there may be extenuating circumstances in individual cases. Continue to check the MDE web site for further information and updates. If you have questions or concerns please contact Ms. Sheryl Diamond at 517-335-0442 or Ms. Harvalee Saunto at 517-241-7507.